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TITLE: METHODS FOR TREATING CANCERS AND PATHOGEN  
INFECTIONS USING ANTIGEN-PRESENTING CELLS LOADED  
WITH RNA

APPLICANTS: SMITA K. NAIR, DAVID J. BOCZKOWSKI, ELI GILBOA



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METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING  
ANTIGEN-PRESENTING CELLS LOADED WITH RNA

5

Background of the Invention

This invention relates to methods for treating or preventing tumor formation or pathogen infection in a patient.

Previously-described methods for treating cancers include the use of chemotherapeutics, radiation therapy, and selective surgery. The identification of a few tumor antigens has led to the development of cell-based therapies. These methods rely on first identifying a tumor antigen (i.e., a polypeptide that is expressed preferentially in tumor cells, relative to non-tumor cells). Several human tumor antigens have been isolated from melanoma patients, and identified and characterized (Boon and van der Bruggen, 1996, J. Exp. Med. 183: 725-729). These polypeptide antigens can be loaded onto antigen-presenting cells, and then be administered to patients in a method of immunotherapy (i.e., as a vaccine). Alternatively, the polypeptide-loaded antigen-presenting cells can be used to stimulate CTL proliferation *ex vivo*. The stimulated CTL are then administered to the patient in a method of adoptive immunotherapy.

A variety of methods have been described for treating infections with intracellular pathogens such as viruses and bacteria. For example, antibiotics are commonly used to treat bacterial infections. Preparations of killed pathogens can also serve as vaccines. In addition, CTL-based therapies have been described for treating such infections.

Summary of the Invention

Applicants have discovered that tumor formation in a patient can be treated or prevented by administering to the patient an antigen-presenting cell(s) that is loaded with antigen encoded in RNA derived from a tumor. For convenience, an RNA-enriched tumor preparation can be used in lieu of purified RNA. The invention thus circumvents the need purify RNA or isolate and identify a tumor antigen. Using similar methods and pathogen-derived RNA, pathogen infection in a patient can be treated or prevented. The RNA-loaded antigen-presenting cells can be used to stimulate CTL proliferation *ex vivo* or *in vivo*. The *ex vivo* expanded CTL can be administered to a patient in a method of adoptive immunotherapy.

Accordingly, the invention features a method for producing an RNA-loaded antigen-presenting cell (APC); the method involves introducing into an APC *in vitro* (i) tumor-derived RNA that includes tumor-specific RNA or (ii) pathogen-derived RNA that includes pathogen-specific RNA (e.g. tumor-specific RNA of an intracellular pathogen), thereby producing an RNA-loaded APC. Upon introducing RNA into an APC (i.e., "loading" the APC with RNA), the RNA is translated within the APC, and the resulting protein is processed by the class I processing and presentation pathway. Presentation of RNA-encoded peptides begins the chain of events in which the immune system mounts a response to the presented peptides.

Preferably, the APC is a professional APC such as a dendritic cell or a macrophage. Alternatively, any APC can

be used. For example, endothelial cells and artificially generated APC can be used. The RNA that is loaded onto the APC can be provided to the APC as purified RNA, or as a fractionated preparation of a tumor or pathogen. The RNA  
5 can include poly A<sup>+</sup> RNA, which can be isolated by using conventional methods (e.g., use of poly dT chromatography). Both cytoplasmic and nuclear RNA is useful in the invention. Also useful in the invention is RNA corresponding to defined tumor or pathogen antigens or epitopes, and RNA  
10 corresponding to "minigenes" (i.e., RNA sequences encoding defined epitopes). If desired, tumor-specific or pathogen-specific RNA can be used; such RNA can be prepared using art-known techniques such as subtractive hybridization against RNA from non-tumor cells or against related, but  
15 non-pathogenic, bacteria or viruses.

The RNA that is loaded onto APC can be isolated from a cell, or it can be produced by employing conventional molecular biology techniques. For example, RNA can be extracted from tumor cells, reverse transcribed into cDNA,  
20 which can be amplified by PCR, and the cDNA then is transcribed into RNA to be used in the invention. If desired, the cDNA can be cloned into a plasmid before it is used as a template for RNA synthesis. Such techniques allow one to obtain large amounts of the RNA antigen from a small  
25 number of cells, which is particularly advantageous because tumor patients often have few tumor cells. In one embodiment, the APC are contacted with the tumor-derived RNA in the presence of a cationic lipid, such as DOTAP or 1:1 (w/w) DOTMA:DOPE (i.e., LIPOFECTIN). Alternatively, art-

known transfection methods are used to introduce the RNA into the APC.

Because practicing the invention does not require identifying an antigen of the tumor cell or pathogen, RNA  
5 derived from essentially any type of tumor or pathogen is useful. For example, the invention is applicable, but not limited, to the development of therapeutics for treating melanomas, bladder cancers, breast cancers, pancreatic  
10 cancers, prostate cancers, colon cancers, and ovarian cancers. In addition, the invention can treat or prevent infections with pathogens such as *Salmonella*, *Shigella*, *Enterobacter*, human immunodeficiency virus, Herpes virus, influenza virus, poliomyelitis virus, measles virus, mumps virus, or rubella virus.

15 The antigen-presenting cells produced in accordance with the invention can be used to induce CTL responses *in vivo* and *ex vivo*. Thus, the invention includes methods for treating or preventing tumor formation in a patient by administering to the patient a therapeutically effective  
20 amount of APC loaded with tumor-derived RNA. The tumor-derived RNA can be derived from the patient, e.g., as an RNA-enriched tumor preparation. Alternatively, the tumor-derived RNA used in such a treatment regimen can be derived from another patient afflicted with the same, or a similar,  
25 type of cancer. Likewise, APC loaded with pathogen-derived RNA can be used to treat or prevent a pathogen infection in a patient.

Included within the invention are methods for producing a cytotoxic T lymphocyte. Such a CTL can be

produced by contacting a T lymphocyte *in vitro* with an antigen-presenting cell that is loaded with tumor-derived or pathogen-derived RNA, and maintaining the T lymphocyte under conditions conducive to CTL proliferation, thereby producing a CTL. The resulting CTL show remarkable specificity for the pathogen or the cells of the tumor from which the loaded RNA is derived. Such CTL can be administered to a patient in a variation of conventional adoptive immunotherapy methods.

The invention also includes methods for treating or preventing tumor formation in a patient by administering to the patient a therapeutically effective amount of APC loaded with tumor-derived RNA. Similarly, the invention provides methods for treating pathogen infection in a patient by administering to the patient a therapeutically effective amount of APC loaded with pathogen-derived RNA. The T lymphocytes that are used in these various therapeutic methods can be derived from the patient to be treated, or haplotype-matched CTL from a donor can be used. Similarly, the RNA used in these methods can be derived from the patient to be treated, or RNA from a donor can be used.

By "RNA-loaded" or "RNA-pulsed" antigen-presenting cell is meant an APC (e.g., a macrophage or dendritic cell) that was incubated or transfected with RNA, e.g., RNA derived from a tumor or pathogen. Such RNA can be loaded onto the APC by using conventional nucleic acid transfection methods, such as lipid-mediated transfection, electroporation, and calcium phosphate transfection. For example, RNA can be introduced into APC by incubating the



APC with the RNA (or extract) for 1 to 24 hours (e.g., 2 hours) at 37°C, preferably in the presence of a cationic lipid.

By "tumor-derived" RNA is meant a sample of RNA that has its origin in a tumor cell, and which includes RNA corresponding to a tumor antigen(s). Included is RNA that encodes all or a portion of a previously identified tumor antigen. Similarly "pathogen-derived" RNA is a sample of RNA that has its origin in an pathogen (e.g., a bacterium or virus, including intracellular pathogens). Such RNA can be "in vitro transcribed," e.g., reverse transcribed to produce cDNA that can be amplified by PCR and subsequently be transcribed in vitro, with or without cloning the cDNA. Also included is RNA that is provided as a fractionated preparation of tumor cell or pathogen. Because even unfractionated RNA preparation (e.g., total RNA or total poly A+ RNA) can be used, it is not necessary that a tumor or pathogen antigen be identified. In one embodiment, the preparation is fractionated with respect to a non-RNA component(s) of the cell in order to decrease the concentration of a non-RNA component, such as protein, lipid, and/or DNA and enrich the preparation for RNA. If desired, the preparation can be further fractionated with respect to the RNA (e.g., by subtractive hybridization) such that "tumor-specific" or "pathogen-specific" RNA is produced.

By "tumor-specific" RNA is meant an RNA sample that, relative to unfractionated tumor-derived RNA, has a high content of RNA that is preferentially present in a tumor

cell compared with a non-tumor cell. For example, tumor-specific RNA includes RNA that is present in a tumor cell, but not present in a non-tumor cell. Also encompassed in this definition is an RNA sample that includes RNA that is present both in tumor and non-tumor cells, but is present at a higher level in tumor cells than in non-tumor cells. Also included within this definition is RNA that encodes a previously identified tumor antigen and which is produced in vitro, e.g., from a plasmid or by PCR. Alternatively, tumor-specific RNA can be prepared by fractionating an RNA sample such that the percentage of RNA corresponding to a tumor antigen is increased, relative to unfractionated tumor-derived RNA. For example, tumor-specific RNA can be prepared by fractionating tumor-derived RNA using conventional subtractive hybridization techniques against RNA from non-tumor cells. Likewise, "pathogen-specific" RNA refers to an RNA sample that, relative to unfractionated pathogen-derived RNA, has a high content of RNA that is preferentially present in the pathogen compared with a non-pathogenic strain of bacteria or virus.

The invention offers several advantages. Vaccinations performed in accordance with the invention circumvent the need to identify specific tumor rejection antigens or pathogen antigens, because the correct antigen(s) is automatically selected from the tumor- or pathogen-derived RNA. If desired, the risk of generating an autoimmune response can be diminished by using tumor-specific RNA. In addition, vaccination with cells loaded with unfractionated tumor-derived RNA likely elicits immune

responses to several tumor antigens, reducing the likelihood of "escape mutants." The invention also extends the use of active immunotherapy to treating cancers for which specific tumor antigens have not yet been identified, which is the vast majority of cancers. The invention can be used efficaciously even if the tumor itself displays poor immunogenicity. In addition, the invention is useful for reducing the size of preexisting tumors, including metastases even after removal of the primary tumor. Finally, the invention offers the advantage that antigen-presenting cells that are loaded with *in vitro* transcribed RNA can be more potent vaccines than are antigen-presenting cells that are loaded with peptide antigens.

Brief Description of the Drawings

Fig. 1 is a graph illustrating primary OVA-specific CTL induction *in vitro* with dendritic cells pulsed with RNA. DC were pulsed with total RNA or poly A<sup>+</sup> RNA obtained from E.G7-OVA or EL4 cells, or *in vitro* transcribed OVA RNA in the presence of the cationic lipid DOTAP as described herein. DC pulsed with the OVA peptide were used for comparison. DC and naive T cells were incubated for 5 days at a R/S of 20:1. Viable lymphocytes were harvested, and the CTL activity was determined in a routine europium release assay. E.G7-OVA and EL4 cells were used as targets. This experiment was repeated three times with similar results.

Fig. 2 is a graph illustrating that the sensitization of E.G7-OVA RNA pulsed DC for stimulation of

OVA-specific primary CTL responses is mediated by the poly A<sup>+</sup> fraction of RNA. DC were pulsed with total RNA, poly A<sup>+</sup> RNA or poly A<sup>-</sup> RNA, and cultured with naive T cells in 96-well U-bottom plates for 5 days. The poly A<sup>+</sup> RNA fraction from E.G7-OVA cells was treated with an antisense oligonucleotide specific for the CTL epitope encoding region of the OVA gene, or a control oligonucleotide followed by RNase H treatment to eliminate the hybridized RNA. DC pulsed with OVA peptide was used as a control. E.G7-OVA, EL4, and RNA cells pulsed with the OVA peptide were used as targets.

Fig. 3 is a histogram depicting the induction of anti-tumor immunity in vivo in mice following a single immunization with DC pulsed with RNA. DC were pulsed with either total or poly A<sup>+</sup> RNA from E.G7-OVA cells or EL4 cells, or with in vitro transcribed OVA RNA or control antisense OVA RNA. Mice were immunized with  $2 \times 10^6$  DC or  $5 \times 10^6$  irradiated E.G7-OVA or EL4 cells injected intraperitoneally, followed by a challenge with  $2 \times 10^7$  live E.G7-OVA cells. Mice were periodically examined for tumor growth, and were sacrificed when the tumor diameter reached 3-4 cm. All mice were sacrificed at 35-40 days post-challenge.

Fig. 4 is a histogram depicting the regression of spontaneous metastasis in mice vaccinated with DC pulsed with poly A<sup>+</sup> RNA or total RNA in the B16-F10.9 melanoma model. Mice received by intrafootpad injection live F10.9 cells, and the legs were amputated when the tumor diameter reached 5.5-7.5 mm. Vaccinations were initiated 2 days

post-amputation, and were followed by two more vaccinations at weekly intervals. Mice were vaccinated intraperitoneally with  $2 \times 10^6$  total, poly A<sup>-</sup> or poly A<sup>+</sup> RNA pulsed DC, or irradiated F10.9 cells or F10.9/K1 cells, or PBS (as a control.) Mice were sacrificed based on the metastatic death in the non-immunized or control groups (28-32 days post-amputation). Metastatic loads were assayed by weighing the lungs and by counting the number of metastatic nodules.

#### Detailed Description

10 Before providing detailed working examples of the invention, certain parameters of the invention will be described generally.

A variety of methods are suitable for producing the tumor- or pathogen-derived RNA that can be used in the invention. As the following examples illustrate, it is not necessary that the RNA be provided to the APC in a purified form. Preferably, the RNA sample (i.e., the fractionated tumor preparation or IVT RNA sample) is at least 50%, more preferably 75%, 90%, or even 99% RNA (wt/vol). In practicing the invention, antigen-presenting cells, preferably professional APC such as dendritic cells and macrophage, are used. Such cells can be isolated according to previously-described procedures.

25 Any of a variety of methods can be used to produce RNA-containing tumor preparations. For example, the tumor preparations can be produced by sonicating tumor cells in a mammalian cell culture medium such as Opti-MEM or a buffer such as phosphate buffered saline. Similarly, pathogen-

derived RNA can be produced by sonicating pathogenic bacteria or cells containing a pathogenic virus. Other methods for disrupting cells also are suitable, provided that the method does not completely degrade the tumor- or pathogen-derived RNA. Typically, the RNA preparation has 10<sup>6</sup> to 10<sup>8</sup> cells/ml; most preferably 10<sup>7</sup> cells/ml. As alternatives, or in addition, to sonication, the tumor- or pathogen-derived RNA can be prepared by employing conventional RNA purification methods such as guanidinium isothiocyanate methods and/or oligo dT chromatography methods for isolating poly A<sup>+</sup> RNA. IVT RNA, synthesized according to conventional methods, can be used in lieu of RNA in tumor preparations. For example, RNA from a tumor or pathogen can be reverse transcribed into cDNA, which then is amplified by conventional PCR techniques to provide an essentially unlimited supply of cDNA corresponding to the tumor or pathogen RNA antigen. Conventional *in vitro* transcription techniques and bacterial polymerases then are used to produce the IVT RNA. As an alternative, the IVT RNA can be synthesized from a cloned DNA sequence encoding a tumor or pathogen polypeptide antigen. Methods for identifying such antigens are known in the art; for example, several melanoma peptide antigens have been identified. RNA transcribed *in vitro* from cDNA encoding identified peptide antigens can serve as tumor- or pathogen-specific RNA in the invention. As an alternative, RNA can be transcribed from "minigenes" consisting of a portion of the tumor antigen cDNA that encodes an epitope. Tumor- or pathogen-specific RNA can also be produced by employing conventional

techniques for subtractive hybridization. For example, an RNA sample from tumor cells and non-tumor cells can be used in the subtractive hybridization method to obtain tumor-specific RNA.

5        Art-known transfection methods are suitable for introducing the tumor- or pathogen-derived RNA into an antigen-presenting cell. For example, 5-50  $\mu$ g of RNA in 500  $\mu$ l of Opti-MEM can be mixed with a cationic lipid at a concentration of 10 to 100  $\mu$ g, and incubated at room  
10    temperature for 20 to 30 minutes. Other suitable lipids include LIPOFECTIN™ (1:1 (w/w) DOTMA:DOPE), LIPOFECTAMINE™ (3:1 (w/w) DOSPA:DOPE), DODAC:DOPE (1:1), CHOL:DOPE (1:1), DMEDA, CHOI, DDAB, DMEDA, DODAC, DOPE, DORI, DORIE, DOSPA, DOTAP, and DOTMA. The resulting RNA-lipid complex is then  
15    added to  $1-3 \times 10^6$  cells, preferably  $2 \times 10^6$ , antigen-presenting cells in a total volume of approximately 2 ml (e.g., in Opti-MEM), and incubated at 37° C for 2 to 4 hours. Alternatively, the RNA can be introduced into the antigen presenting cells by employing conventional  
20    techniques, such as electroporation or calcium phosphate transfection with  $1-5 \times 10^6$  cells and 5 to 50  $\mu$ g of RNA. Typically, 5-20  $\mu$ g of poly A<sup>+</sup> RNA or 25-50  $\mu$ g of total RNA is used.

25        When the RNA is provided as a tumor or pathogen preparation, the preparation typically is fractionated or otherwise treated to decrease the concentration of proteins, lipids, and/or DNA in the preparation, and enrich the preparation for RNA. For example, art-known RNA purification methods can be used to at least partially

purify the RNA from the tumor cell or pathogen. It is also acceptable to treat the RNA preparation with proteases or RNase-free DNases.

5 The RNA-loaded antigen-presenting cells of the invention can be used to stimulate CTL proliferation *in vivo* or *ex vivo*. The ability of the RNA-loaded antigen-presenting cells to stimulate a CTL response can be measured by assaying the ability of the effector cells to lyse target cells. For example, the commonly-used europium release  
10 assay can be used. Typically,  $5-10 \times 10^6$  target cells are labeled with europium diethylenetriamine pentaacetate for 20 minutes at 4°C. After several washes  $10^4$  europium-labeled target cells and serial dilutions of effector cells at an effector:target ratio ranging from 50:1 to 6.25:1 are  
15 incubated in 200  $\mu$ l RPMI 1640 with 10% heat-inactivated fetal calf serum in 96-well plates. The plates are centrifuged at 500 x g for 3 minutes and the incubated at 37° C in 5% CO<sub>2</sub> for 4 hours. A 50  $\mu$ l aliquot of the supernatant is collected, and europium release is measured  
20 by time resolved fluorescence (Volgmann et al., J. Immunol. Methods 119:45-51, 1989).

#### Examples

The following working examples are meant to illustrate, not limit, the invention. First, the methods  
25 used in these examples are described.



Mice

Seven to eight weeks old and retired breeder female C57BL/6 mice (H-2<sup>b</sup>) were obtained from the Jackson Laboratory (Bar Harbor, ME).

5 Cell lines

The F10.9 clone of the B16 melanoma of C57BL/6 origin is a highly metastatic, poorly immunogenic, and low class I expressing cell line. F10.9/K1 is a poorly metastatic and highly immunogenic cell line derived by  
10 transfecting F10.9 cells with class I molecule, H-2K<sup>b</sup> cDNA. RMA and RMA-S cells are derived from the Rauscher leukemia virus-induced T cell lymphoma RBL-5 of C57BL/6 (H-2<sup>b</sup>) origin. Other cell lines used were EL4 (C57BL/6, H-2<sup>b</sup>, thymoma), E.G7-OVA (EL4 cells transfected with the cDNA of  
15 chicken ovalbumin (OVA), A20(H-2<sup>d</sup> B cell lymphoma) and L929 (H-2<sup>k</sup> fibroblasts). Cells were maintained in DMEM supplemented with 10% fetal calf serum (FCS), 25 mM Hepes, 2 mM L-glutamine and 1 mM sodium pyruvate. E.G7-OVA cells  
20 were maintained in medium supplemented with 400 µg/ml G418 (GIBCO, Grand Island, NY) and F10.9/K1 cells were maintained in medium containing 800 µg/ml G418.

Antigen presenting cells and responder T cells

Splenocytes obtained from naive C57BL/6 female retired breeders were treated with ammonium chloride Tris  
25 buffer for 3 minutes at 37°C to deplete red blood cells. Splenocytes (3 ml) at 2 x 10<sup>7</sup> cells/ml were layered over a 2 ml metrizamide gradient column (Nycomed Pharma AS, Oslo,

Norway; analytical grade, 14.5 g added to 100 ml PBS, pH 7.0) and centrifuged at 600 g for 10 minutes. The dendritic cell-enriched fraction from the interface was further enriched by adherence for 90 minutes. Adherent cells  
5 (mostly dendritic cells (DC) and a few contaminating macrophage (Mø) were retrieved by gentle scraping, and subjected to a second round of adherence at 37°C for 90 minutes to deplete the contaminating Mø. Non-adherent cells were pooled as splenic DC and FACS analysis showed  
10 approximately 80% - 95% DC (mAb 33D1), 1-2% Mø (mAb F4/80), 10% T cells, and <5% B Cells (data not shown).

The pellet was resuspended and enriched for Mø by two rounds of adherence at 37°C for 90 minutes each. More than 80% of the adherent population was identified as Mø by  
15 FACS analysis, with 5% lymphocytes and <5% DC.

B cells were separated from the non-adherent population (B and T cells) by panning on anti-Ig coated plates. The separated cell population, which was comprised of >80% T lymphocytes by FACS analysis was used as responder  
20 T cells.

#### Isolation of total and poly A<sup>+</sup> cellular RNA

Total RNA was isolated from actively growing tissue culture cells as previously described (Chomczynski and Sacchi, 1987, *Analy. Biochem.* 162: 156-159). Briefly, 10<sup>7</sup>  
25 cells were lysed in 1 ml of guanidinium isothiocyanate (GT) buffer (4 M guanidinium isothiocyanate, 25 mM sodium citrate, pH 7.0; 0.5% sarcosyl, 20 mM EDTA, and 0.1 M 2-mercaptoethanol). Samples were vortexed, and followed by

sequential addition of 100  $\mu$ l 3 M sodium acetate, 1 ml water-saturated phenol and 200  $\mu$ l chloroform:isoamyl alcohol (49:1). Suspensions were vortexed and then placed on ice for 15 minutes. The tubes were centrifuged at 10000 x g, at  
5 4°C for 20 minutes, and the supernatant was carefully transferred to a fresh tube. An equal volume of isopropanol was added and the samples were placed at -20°C for at least 1 hour. RNA was pelleted by centrifugation as above. The pellet was resuspended in 300  $\mu$ l GT buffer, and then  
10 transferred to a microcentrifuge tube. RNA was again precipitated by adding an equal volume of isopropanol and placing the tube at -20°C for at least 1 hour. Tubes were microcentrifuged at high speed at 4°C for 20 minutes. Supernatants were decanted, and the pellets were washed once  
15 with 70% ethanol. The pellets were allowed to dry at room temperature and then resuspended in TE (10 mM Tris-HCl, 1 mM EDTA, pH 7.4). Possible contaminating DNA was removed by incubating the RNA sample in 10 mM MgCl<sub>2</sub>, 1 mM DTT and 5 U/ml RNase-free DNase (Boehringer-Mannheim) for 15 minutes  
20 at 37°C. The solution was adjusted to 10 mM Tris, 10 mM EDTA, 0.5% SDS and 1 mg/ml Pronase (Boehringer-Mannheim), followed by incubation at 37°C for 30 minutes. Samples were extracted once with phenol-chloroform and once with chloroform; RNA was again precipitated in isopropanol at  
25 20°C. Following centrifugation, the pellets were washed with 70% ethanol, then air dried and resuspended in sterile water. Total RNA was quantitated by measuring the optical density (OD) at 260 and 280 nm. The OD 260/280 ratios were typically 1.65-2.0. The RNA was stored at -70°C.

Poly A<sup>+</sup> RNA was isolated either from total RNA using an OLIGOTEX<sup>™</sup> poly A<sup>+</sup> purification kit (Qiagen), or directly from tissue culture cells using the Messenger RNA Isolation kit (Stratagene) as per the manufacturer's protocols. If  
5 desired, alternative, conventional methods can be used to prepare poly A<sup>+</sup> RNA.

Production of *in vitro* transcribed RNA

The 1.9 kb EcoRI fragment of chicken ovalbumin cDNA in pUC18 (McReynolds et al., 1978, Nature 273:723)  
10 containing the coding region and 3' untranslated region, was cloned into the EcoRI site of pGEM4Z (Promega). Clones containing the insert in both the sense and anti-sense orientations were isolated, and large scale plasmid preps were made using Maxi Prep Kits<sup>™</sup> plasmid preparation kit  
15 (Qiagen). Plasmids were linearized with BamHI for use as templates for *in vitro* transcription. Transcription was carried out at 37°C for 3-4 hours using the MEGAscript In Vitro Transcription Kit<sup>™</sup> (Ambion) according to the manufacturer's protocol and adjusting the GTP concentration  
20 to 1.5 mM and including 6 mM m<sup>7</sup>G(5')ppp(5')G cap analog (Ambion). Other, conventional *in vitro* transcription methods also are suitable. Template DNA was digested with RNase-free DNase 1, and RNA was recovered by phenol:chloroform and chloroform extraction, followed by  
25 isopropanol precipitation. RNA was pelleted by microcentrifugation, and the pellet was washed once with 70% ethanol. The pellet was air-dried and resuspended in sterile water.

RNA was incubated for 30 minutes at 30°C in 20 mM Tris-HCl, pH 7.0, 50 mM KCl, 0.7 mM MnCl<sub>2</sub>, 0.2 mM EDTA, 100 µg/ml acetylated BSA, 10% glycerol, 1 mM ATP and 5000 U/ml yeast poly (A) polymerase (United States Biochemical). The capped, polyadenylated RNA was recovered by phenol:chloroform and chloroform extraction followed by isopropanol precipitation. RNA was pelleted by microcentrifugation, and the pellet was washed once with 70% ethanol. The pellet was air-dried and resuspended in sterile water. RNA was quantitated by measuring the OD at 260 and 280 nm, and the RNA stored at -70°C.

Oligodeoxynucleotide directed cleavage of OVA mRNA by RNase H

The procedure used for RNase H site-specific cleavage of ovalbumin mRNA was adapted from those previously described (Donis-Keller, 1979, Nucl. Acid. Res. 7: 179-192). Briefly, 5-10 µg mRNA from E.G7-OVA cells was suspended in 20 mM HEPES-KOH, pH 8.0, 50 mM KCl, 4 mM MgCl<sub>2</sub>, 1 mM DTT, 50 µg/ml BSA and 2 µM of either the oligodeoxynucleotide 5' - CAG TTT TTC AAA GTT GAT TAT ACT-3', which hybridizes to sequence in OVA mRNA that codes for the CTL epitope SIINFEKL, or 5'-TCA TAT TAG TTG AAA CTT TTT GAC-3' (Oligos, Etc.), which serves as a negative control. The samples were heated to 50°C for 3 minutes followed by incubation at 37°C for 30 minutes. RNase H (Boehringer-Mannheim) was added at 10 U/ml, and digestion proceeded for 30 minutes at 37°C. RNA was recovered by phenol:chloroform and chloroform extraction, followed by isopropanol precipitation. RNA was pelleted by microcentrifugation, and the pellet was washed

once with 70% ethanol. The pellet then was air-dried and resuspended in sterile water. Cleavage of OVA mRNA was confirmed by oligo dT primed reverse transcription of test and control samples, followed by PCR with OVA specific  
5 primers that flank the cleavage site. PCR with actin-specific primers was used to control between test and control samples.

Pulsing of APC

APC were washed twice in Opti-MEM medium (GIBCO,  
10 Grand Island, NY). Cells were resuspended in Opti-MEM medium at  $2-5 \times 10^6$  cells/ml, and added to 15 ml polypropylene tubes (Falcon). The cationic lipid DOTAP (Boehringer Mannheim Biochemicals, Indianapolis, IN) was used to deliver RNA into cells (Walker et al., 1992, Proc.  
15 Natl. Acad. Sci. USA 89: 7915-7918). RNA (in 250-500  $\mu$ l Opti-MEM medium) and DOTAP (in 250-500  $\mu$ l Opti-MEM medium) was mixed in a 12 x 75 mm polystyrene tube at room temperature (RT) for 20 minutes. The RNA to DOTAP ratio  
20 routinely used was 1:2, and varied in certain experiments between 2:1 to 1:2. The complex was added to the APC ( $2-5 \times 10^6$  cells) in a total volume of 2 ml and incubated at 37°C in a water-bath with occasional agitation for 2 hours. The cells were washed and used as stimulators for primary CTL  
induction *in vitro*.

25 The synthetic peptide encoding the CTL epitope in chicken ovalbumin OVA, aa 257-264 SIINFEKL (H-2K<sup>b</sup>), was used for peptide pulsing. The peptide had unblocked (free) amino

and carboxyl ends (Research Genetics, Birmingham, AL).  
Peptides were dissolved in serum-free IMDM and stored at  
-20°C.

Induction of CTL in vitro

5        T cells ( $5 \times 10^6$  cells/ml) and RNA or peptide pulsed  
APC ( $2.5 \times 10^5$  cells/ml) were cultured in IMDM with 10% FCS,  
1 mM sodium pyruvate, 100 IU/ml penicillin, 100 mg/ml  
streptomycin, and  $5 \times 10^{-5}$  M  $\beta$ -mercaptoethanol in 96 well U-  
bottom plates to give an E:S ratio of 20:1. After 5 days,  
10      cells were used as effectors in a standard 4 hours europium  
release assay.

Cytotoxicity assay

         In these assays,  $5-10 \times 10^6$  target cells were labeled  
with europium diethylenetriamine pentaacetate for 20 minutes  
15      at 4°. After several washes,  $10^4$  europium-labeled targets  
and serial dilutions of effector cells at effector:target  
ratios of 50:1 to 6.25:1 were incubated in 200  $\mu$ l of RPMI  
1640 with 10% heat-inactivated FCS in 96-well V-bottom  
plates. The plates were centrifuged at 500 g for 3 minutes  
20      and incubated at 37°C and 5% CO<sub>2</sub> for 4 hours. 50  $\mu$ l of the  
supernatant was harvested, and europium release was measured  
by time resolved fluorescence (Delta fluorometer, Wallace  
Inc., Gaithersburg, MD). Spontaneous release was less than  
25% . Standard errors (SE) of the means of triplicate  
25      cultures was less than 5%.

Immunotherapy

E.G7-OVA model: C57BL/6 mice were immunized once with irradiated, RNA-pulsed APC ( $2 \times 10^6$  cells/mouse) or  $5 \times 10^6$  E.G7-OVA or EL4 cells. At 10-14 days post-immunization, mice were challenged with  $2 \times 10^7$  live E.G7-OVA cells injected sub-cutaneously in the flank region. Mice were monitored on a regular basis for tumor growth and size. Mice with tumor sizes  $>3.5$  cm were sacrificed. All survivors were sacrificed at 40 days post-challenge.

F10.9-B16 melanoma model: Mice were received by intrafootpad injection  $2 \times 10^5$  F10.9 cells. The post-surgical protocol was essentially as described previously (Porgador et al., 1995, Cancer Res. 55: 4941-4949). The legs of the mice were amputated when the local tumor in the footpad was 5.5 - 7.5 mm in diameter. Post-amputation mortality was less than 5%. At two days post-amputation, the mice were immunized intraperitoneally, followed by weekly vaccinations twice, for a total of three vaccinations. The mice were sacrificed based on the metastatic death in the non-immunized or control groups (at 28-32 days post-amputation). The metastatic loads were assayed by weighing the lungs and by counting the number of metastatic nodules.

Induction of a primary CTL response in vitro using dendritic cells transfected with chicken ovalbumin RNA.

The ability of RNA pulsed splenic dendritic cells (DC) derived from C57BL/6 (H-2K<sup>b</sup>) mice to induce a primary CTL response in vitro was demonstrated in the E.G7-OVA tumor system. E.G7-OVA cells were derived from the EL4 tumor cell



line (H-2K<sup>b</sup> haplotype) by transfection with the chicken ovalbumin cDNA (Moore et al., 1988, Cell 54: 777-785). The chicken ovalbumin encodes a single dominant epitope (aa 257-264) in C57BL/6 mice (Rotzschke et al., 1991, Euro. Journal Immunology, 21: 2891-2891).

Dendritic cells pulsed with the OVA peptide (aa 257-264) incubated with T cells from naive mice induce a potent CTL response *in vitro* (Fig. 1). This example demonstrates that RNA can be used as a source of antigen to sensitize DC to present antigen to CD8<sup>+</sup> T cells. Splenic DC were isolated from C57BL/6 mice and pulsed with OVA peptide or incubated with RNA synthesized *in vitro* (OVA IVT RNA) from a plasmid encoding the chicken ovalbumin cDNA, and used to stimulate an OVA-specific primary CTL response *in vitro*. As shown in Fig. 1, both OVA peptide as well as OVA IVT RNA pulsed DC were capable of inducing an OVA specific primary CTL response (Fig. 1). RNA pulsed DC were consistently more effective stimulators than peptide pulsed DC. To test whether RNA isolated from E.G7-OVA cells was capable of sensitizing DC to stimulate a primary, OVA-specific, CTL response, total RNA or poly A<sup>+</sup> RNA was isolated from E.G7-OVA or EL4 cells and incubated with DC. As shown in Figure 1, DC pulsed with either total or poly A<sup>+</sup> RNA from E.G7-OVA cells but not from EL4 cells, were capable of inducing a strong OVA specific CTL response. Surprisingly, DC pulsed with unfractionated RNA, total or poly A<sup>+</sup>, were as potent inducers of a primary CTL response as DC pulsed with the OVA peptide encoding a defined CTL epitope. Stimulation of a CTL response by (total or poly A<sup>+</sup>) EL4 RNA pulsed DC was

only marginally above background and statistically not significant (Compare to lysis of EL4 targets by CTL stimulated with OVA peptide or OVA IVT RNA pulsed DC), reflecting the immunodominance of the OVA epitope and the relative weakness of the EL4 encoded antigens.

As is illustrated by Fig. 2, total, as well as poly A<sup>+</sup>, but not poly A<sup>-</sup>, RNA isolated from E.G7-OVA cells is capable of sensitizing DC to stimulate a primary CTL response. To prove that sensitization of DC is indeed mediated by RNA, poly A<sup>+</sup> RNA from E.G7-OVA cells was incubated with either an antisense oligonucleotide spanning the sequence encoding the single CTL epitope present in the chicken ovalbumin gene or with a control oligodeoxynucleotide, and then treated with RNase H to remove any RNA sequence to which the oligodeoxynucleotide probe has hybridized. As shown in Fig. 2, induction of a primary, OVA-specific CTL response was abolished when the poly A<sup>+</sup> RNA was incubated with the antisense, but not with the control, oligodeoxynucleotide. Fig. 2 also shows that cells expressing the complete ovalbumin gene, E.G7-OVA cells, and RMA-S cells pulsed with the 8 amino acid long OVA peptide encoding the single dominant CTL epitope are lysed to a similar extent following stimulation with total or poly A<sup>+</sup> E.G7-OVA RNA pulsed DC. This indicates, therefore, that the majority of epitopes presented by E.G7-OVA RNA pulsed DC correspond to the previously defined single dominant CTL epitope encoded in the chicken ovalbumin gene.

Induction of anti-tumor immunity by DC pulsed with tumor RNA.

This example demonstrates that vaccination of mice with OVA RNA pulsed DC provided protection against a challenge with E.G7-OVA tumor cells. Mice were immunized on one with  $2 \times 10^6$  RNA pulsed DC or with  $5 \times 10^6$  irradiated E.G7-OVA cells. Ten days later, mice were challenged with a tumorigenic dose of E.G7-OVA cells. Appearance and size of the tumor were determined on a regular basis. Fig. 3 shows the size of the tumors at 37 days post-tumor implantation. The average tumor size in mice immunized with irradiated EL4 cells was 25 cm, while the average tumor size in animals immunized with the OVA expressing EL4 cells (E.G7-OVA) was only 7.03 cm. This difference is a reflection of the high immunogenicity of the chicken OVA antigen expressed in EL4 cells and the poor immunogenicity of the parental, EL4, tumor cell line. Vaccination with DC pulsed with RNA (total or poly A<sup>+</sup> fraction) derived from E.G7-OVA cells was as effective as vaccination with the highly immunogenic E.G7-OVA cells (average tumor size 7 cm). Vaccination with DC incubated with total or poly A<sup>+</sup> RNA derived from EL4 tumor cells had a slight protective effect (average tumor size: 22 cm and 19.5 cm, respectively) which was not statistically significant, consistent with poor to undetectable immunogenicity of EL4-derived antigens. Consistent with the primary CTL induction data (Fig. 1), vaccination of mice with OVA IVT RNA pulsed DC provided the most effective anti-tumor response (average tumor size: 3.9 cm), while vaccination with the control antisense OVA IVT RNA did not elicit a significant protective response.

The potency of DC pulsed with tumor-derived RNA was further evaluated in the B16/F10.9 (H-2<sup>b</sup>) melanoma metastasis model. The B16/F10.9 melanoma tumor is poorly immunogenic, expresses low levels of MHC class I molecules, and is highly metastatic in both experimental and spontaneous metastasis assay systems (Porgador et al., 1996, J. Immunology 156: 1772-1780). Porgador et al. have shown that, when vaccinations are carried out after the removal of the primary tumor implant, only irradiated tumor cells transduced with both the IL-2 and the H-2K<sup>b</sup> genes, are capable of significantly impacting the metastatic spread of B16/F10.9 tumor cells in the lung (Porgador et al. 1995, Cancer Research 55: 4941-4949). Thus, the B16/F10.9 melanoma model and the experimental design used by Porgador et al. constitutes a stringent and clinically relevant experimental system to assess the efficacy of adjuvant treatments for metastatic cancer.

To demonstrate that immunization with tumor RNA pulsed DC, in accordance with the invention, was capable of causing the regression of preexisting lung metastases, primary tumors were induced by implantation of B16/F10.9 tumor cells in the footpad. When the footpad reached 5.5-7.5 mm in diameter, the tumors were surgically removed. Two days later, mice were immunized with irradiated B16/F10.9 cells, irradiated B16/F10.9 cells transduced with the H-2K<sup>b</sup> gene (F10.9K1), or with RNA pulsed DC preparations (Fig. 4). The mice received a total of three vaccinations given at weekly intervals. The average lung weight of a normal mouse is 0.18-0.22 g. Mice treated with PBS (a negative control)

were overwhelmed with metastases. The mean lung weight of mice in this treatment group was 0.81 g; approximately three-quarters of the weight was contributed by the metastases, which were too many to count (>100 nodules). A  
5 similar metastatic load was seen when mice were treated with irradiated B16/F10.9 cells (data not shown), which confirms numerous previous observations that treatment with irradiated B16/F10.9 tumor cells alone has no therapeutic benefit in this tumor model. As also previously shown,  
10 immunization with H-2K<sup>b</sup> expressing B16/F10.9 cells (F10.9K1, as a positive control) had a modest therapeutic benefit, as indicated by a statistically significant decrease in the average lung weight of the animals in this treatment group. A dramatic response, however, was seen in animals treated  
15 with DC that were pulsed with total RNA derived from F10.9 cells in accordance with the invention. The mean lung weight of mice in this treatment group was 0.37 g. A significant dramatic response also was seen in mice treated with DC pulsed with poly A<sup>+</sup> RNA derived from F10.9 cells in  
20 accordance with the invention (average lung weight: 0.42 g). By contrast, no statistically significant decrease in metastatic load was seen in mice treated with DC that were pulsed with either the poly A<sup>+</sup> RNA fraction derived from F10.9 cells or with total RNA isolated from EL4 tumor cells.  
25 The observation that cells expressing the OVA protein (E.G7-OVA) or cells pulsed with the OVA peptide were efficiently lysed by CTL, and the sensitization of DC fractionated with poly A<sup>+</sup> RNA, strongly suggest that RNA-mediated stimulation of CTL occurs via translation of the

input RNA and generation of the predicted class I restricted epitopes, in this case a single dominant epitope encoded in the chicken OVA peptide. These data show that RNA mediated sensitization of DC is more effective than pulsing with peptide because the transfected RNA can serve as a continuous source for the production of antigenic peptides.

#### Therapeutic Use

The invention can be used to treat or prevent tumor formation in a patient (e.g., melanoma tumors, bladder tumors, breast cancer tumors, colon cancer tumors, prostate cancer tumors, and ovarian cancer tumors). Similarly, the invention can be used to treat or prevent infection in a patient with a pathogen such as a bacterium (e.g., *Salmonella*, *Shigella*, or *Enterobacter*) or a virus (e.g., a human immunodeficiency virus, a Herpes virus, an influenza virus, a poliomyelitis virus, a measles virus, a mumps virus, or a rubella virus).

In treating or preventing tumor formation or pathogen infection in a patient, it is not required that the cell(s) that is administered to the patient be derived from that patient. Thus, the antigen-presenting cell can be obtained from a matched donor, or from a culture of cells grown in vitro. Methods for matching haplotypes are known in the art. Similarly, it is not required that the RNA be derived from the patient to be treated. RNA from a donor can be used.

It is preferable that treatment begin before or at the onset of tumor formation or infection, and continue

until the cancer or infection is ameliorated. However, as the examples described herein illustrate, the invention is suitable for use even after a tumor has formed, as the invention can cause a regression of the tumor. In treating  
5 a patient with a cell or vaccine produced according to the invention, the optimal dosage of the vaccine or cells depends on factors such as the weight of the mammal, the severity of the cancer or infection, and the strength of the CTL epitope. Generally, a dosage of  $10^5$  to  $10^8$  RNA-loaded  
10 antigen-presenting cells/kg body weight, preferably  $10^6$  to  $10^7$  cells/kg body weight, should be administered in a pharmaceutically acceptable excipient to the patient. The cells can be administered by using infusion techniques that are commonly used in cancer therapy (see, e.g., Rosenberg et  
15 al., New Eng. J. of Med. 319:1676, 1988). The optimal dosage and treatment regime for a particular patient can readily be determined by one skilled in the art of medicine by monitoring the patient for signs of disease and adjusting the treatment accordingly.

20 Where the antigen-presenting cell is used to induce a CTL response *in vitro*, the resulting effector CTLs can subsequently be administered to a mammal in a CTL-based method of therapy (see, e.g., PCT/US91/06441). CTL produced  
25 *in vitro* with the antigen-presenting cells of the invention can be administered in a pharmaceutically acceptable excipient to a mammal by employing conventional infusion methods (see, e.g., Rosenberg et al., *supra*). Typically,  $10^9$  -  $10^{10}$  cells are administered over the course of 30 minutes, with treatment repeated as necessary. Such a CTL-

based method of therapy may be combined with other methods,  
such as direct administration of the antigen-presenting  
cells of the invention. The CTL and antigen-presenting  
cells may be autologous or heterologous to the patient  
5 undergoing therapy. If desired, the treatment may also  
include administration of mitogens (e.g., phyto-  
hemagglutinin) or lymphokines (e.g., IL-2 or IL-4) to  
enhance CTL proliferation.

What is claimed is:



1           1. A method for producing an RNA-loaded antigen  
2     presenting cell (APC), said method comprising:  
3           introducing into an antigen-presenting cell *in vitro*  
4     RNA selected from the group consisting of  
5           (i) tumor-derived RNA comprising tumor-specific RNA  
6     and  
7           (ii) pathogen-derived RNA comprising pathogen-  
8     specific RNA, thereby producing an RNA-loaded APC.

1           2. The method of claim 1, wherein said APC is a  
2     dendritic cell.

1           3. The method of claim 1, wherein said APC is a  
2     macrophage.

1           4. The method of claim 1, wherein said APC is an  
2     endothelial cell.

1           5. The method of claim 1, wherein said APC is an  
2     artificially generated APC.

1           6. The method of claim 1, wherein said RNA is  
2     tumor-derived RNA that comprises poly A<sup>+</sup> RNA.

1           7. The method of claim 1, wherein said RNA is  
2     tumor-derived RNA that comprises cytoplasmic RNA.

1           8.    The method of claim 1, wherein said RNA  
2   corresponds to a tumor antigen.

1           9.    The method of claim 1, wherein said RNA  
2   corresponds to a pathogen antigen.

1           10.   The method of claim 1, wherein said RNA  
2   corresponds to an epitope.

1           11.   The method of claim 1, wherein said RNA is  
2   tumor-specific RNA.

1           12.   The method of claim 1, wherein the RNA is  
2   introduced into the APC by contacting the APC with the RNA  
3   in the presence of a cationic lipid.

1           13.   The method of claim 1, wherein said RNA is  
2   tumor-derived RNA that is provided as a fractionated tumor  
3   extract that is fractionated with respect to a non-RNA  
4   component of the tumor.

1           14.   An RNA-loaded APC produced by the method of  
2   claim 1.

1           15.   A method for treating or preventing tumor  
2   formation in a patient, said method comprising  
3       administering to the patient a therapeutically  
4   effective amount of the RNA-loaded APC of claim 14, wherein  
5   tumor-derived RNA is introduced into said APC.

1           16. The method of claim 15, wherein the tumor-  
2       derived RNA is derived from said patient.

1           17. The method of claim 15, wherein the tumor-  
2       derived RNA is derived from a donor patient.

1           18. A method for treating or preventing a pathogen  
2       infection in a patient, said method comprising  
3           administering to the patient a therapeutically  
4       effective amount of the RNA-loaded APC of claim 14, wherein  
5       pathogen-derived RNA is introduced into said APC.

1           19. A method for producing a cytotoxic T lymphocyte  
2       (CTL), said method comprising:  
3           providing a T lymphocyte;  
4           contacting said T lymphocyte *in vitro* with the RNA-  
5       loaded APC of claim 14; and  
6           maintaining said T lymphocyte under conditions  
7       conducive to CTL proliferation, thereby producing a CTL.

1           20. A CTL produced by according to the method of  
2       claim 19.

1           21. A method for treating or preventing tumor  
2       formation in a patient, said method comprising administering  
3       to the patient a therapeutically effective amount of the CTL  
4       of claim 20, wherein said APC is loaded with tumor-derived  
5       RNA.

1           22. The method of claim 21, wherein the T  
2 lymphocyte is derived from said patient.

1           23. The method of claim 21, wherein the T  
2 lymphocyte is derived from a donor patient.

1           24. The method of claim 21, wherein the tumor-  
2 derived RNA is derived from a tumor of said patient.

1           25. The method of claim 21, wherein the tumor-  
2 derived RNA is derived from a donor patient.

1           26. A method for treating or preventing pathogen  
2 infection in a patient, said method comprising administering  
3 to the patient a therapeutically effective amount of the CTL  
4 of claim 15, wherein said APC is loaded with pathogen-  
5 derived RNA.

1           27. The method of claim 1, wherein the tumor-  
2 derived RNA is derived from a melanoma.

1           28. The method of claim 1, wherein the tumor-  
2 derived RNA is derived from a bladder tumor.

1           29. The method of claim 1, wherein the tumor-  
2 derived RNA is derived from a tumor selected from the group  
3 consisting of breast cancer tumors, colon cancer tumors,  
4 prostate cancer tumors, and ovarian cancer tumors.

1           30. The method of claim 1, wherein said pathogen-  
2       derived RNA is derived from a virus.

1           31. The method of claim 30, wherein said virus is  
2       selected from the group consisting of Hepatitis viruses,  
3       human immunodeficiency viruses, influenza viruses,  
4       poliomyelitis viruses, measles viruses, herpes viruses,  
5       mumps viruses, and rubella viruses.

1           32. The method of claim 1, wherein said pathogen-  
2       derived RNA is derived from a bacterium.

1           33. The method of claim 32, wherein said bacterium  
2       is selected from the group consisting of *Salmonella*,  
3       *Shigella*, and *Enterobacter*.

1           34. The method of claim 1, wherein said pathogen-  
2       derive RNA is derived from an intracellular pathogen.

1           35. The method of claim 1, wherein said RNA is  
2       isolated from a cell.

1           36. The method of claim 1, wherein said RNA is  
2       prepared by PCR amplification and *in vitro* transcription.

1           37. The method of claim 1, wherein said RNA is  
2       tumor-derived RNA that comprises nuclear RNA.

PATENT  
Attorney Docket No. 06765/008001

- 1           38. The method of claim 1 wherein said RNA
- 2   corresponds to a minigene.

METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING  
ANTIGEN-PRESENTING CELLS LOADED WITH RNA

Abstract of the Disclosure

Disclosed are cells and methods for treating or preventing tumor formation or infections with pathogens in a patient. The cells of the invention are antigen-presenting cells (e.g., dendritic cells or macrophage) that have been loaded with RNA derived from tumors or pathogens. By administering the RNA-loaded antigen-presenting cells to a patient, tumor formation or pathogen infections can be treated or prevented. Alternatively, the RNA-loaded cells can be used as stimulator cells in the ex vivo expansion of CTL. Such CTL can then be used in a variation of conventional adoptive immunotherapy techniques.

56970.W11



PATENT  
ATTORNEY DOCKET NO: 06765/008001

# COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING ANTIGEN-PRESENTING CELLS LOADED WITH RNA, the specification of which

- ☐ is attached hereto.  
☒ was filed on April 30, 1996 as Application Serial No. 08/640,444 and was amended on \_\_\_\_\_  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
 filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Paul T. Clark, William E. Booth, Reg. No. 28,933; Barry E. Bretschneider, Reg. No. 28,055; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; Ian H. Gordon, Reg. No. 26,168; John F. Land, Reg. No. 29,554; John B. Pegram, Reg. No. 25,198; Rene D. Tegtmeyer, Reg. No. 33,567; Hans R. Troesch, Reg. No. 36,950; Dorothy P. Whelan, Reg. No. 33,814; Charles C. Winchester, Reg. No. 21,040.

Address all telephone calls to Paul T. Clark at telephone number 617/542-5070.

Address all correspondence to Paul T. Clark, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02210-2804.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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2-00  
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006

Applicant or Patentee: Saita K. Neir et al.  
Serial or Patent No.: 08/640,444  
Filed or Issued: April 30, 1996

ATTORNEY DOCKET NO. 06765/008001

MAILED  
62 JUL 19 1996

For: METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING ANTIGEN-PRESENTING CELLS LOADED WITH RNA  
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:  
Name of Organization: Duke University  
Address of Organization: 230 North Building, Research Drive, Box 90083, Durham, North Carolina 27708-0083  
Type of Organization:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(c) and 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE: )  
(CITATION OF STATUTE: )  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(c) and 501(c)(3)) IF  
LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF  
AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE: )  
(CITATION OF STATUTE: )

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled METHODS FOR TREATING CANCERS AND PATHOGEN INFECTIONS USING ANTIGEN-PRESENTING CELLS LOADED WITH RNA by inventor(s) Saita K. Neir, David J. Boczkowski, and Eli Gilboa described in

- ☐ the specification filed herewith.  
☒ application serial no. 08/640,444, filed April 30, 1996.  
☐ patent no. , issued .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name:

Address:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Robert L. Taber, Ph.D.  
Title: Associate Vice Chancellor

Address: 230 North Building, Research Drive, Box 90083, Durham, North Carolina 27708-0083

Signature: [Signature] Date: 7/11/96

08/640444

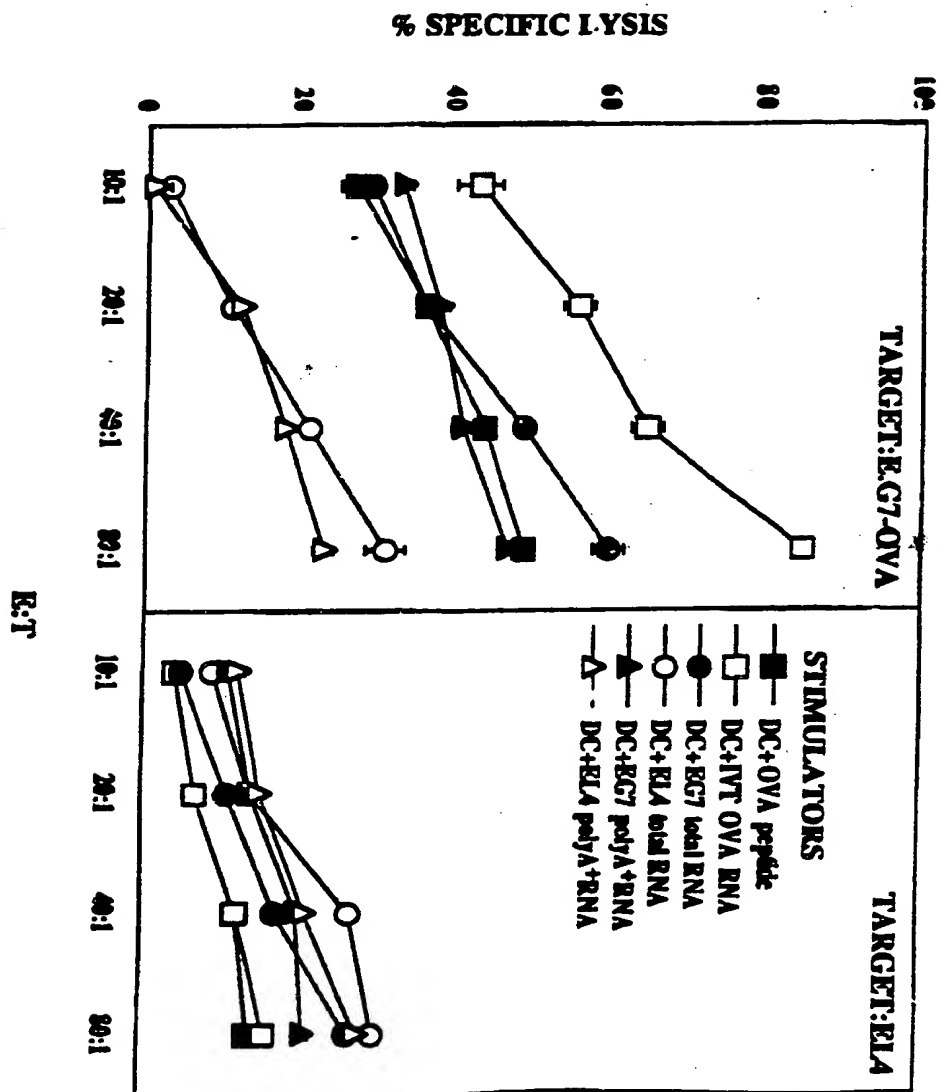


FIG. 1

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% SPECIFIC LYSIS

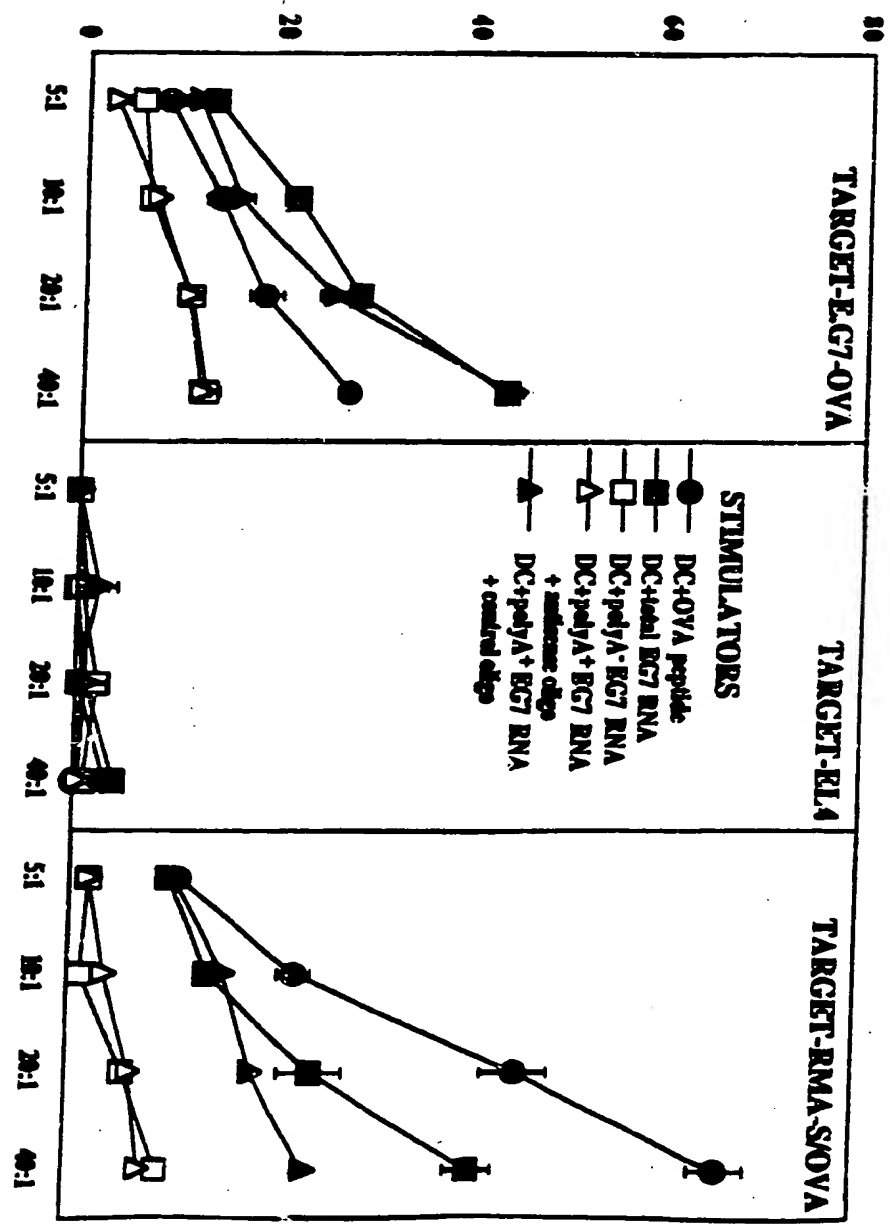
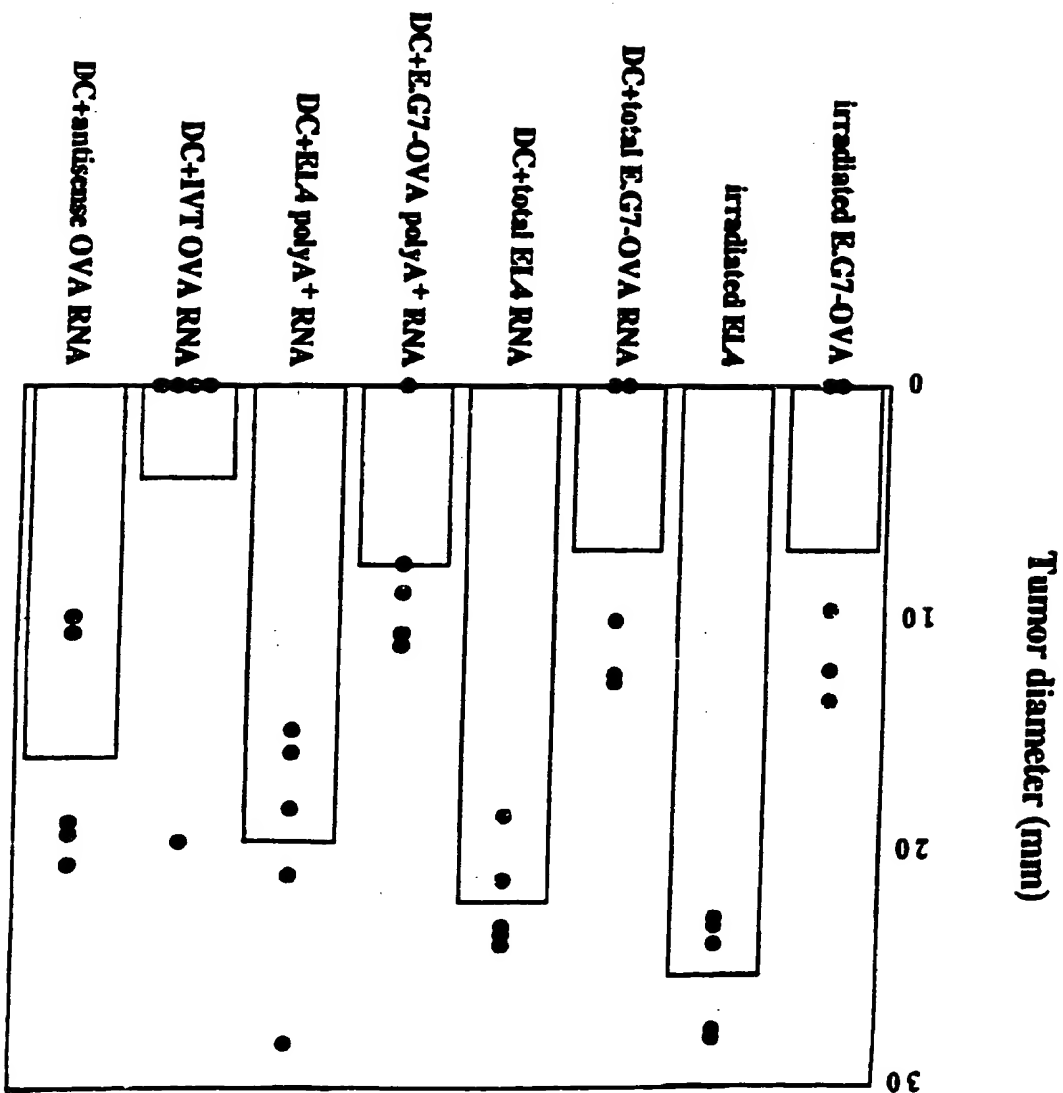


FIG. 2

E:T

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FIG. 4

